

Additional State Disclosures and Notices

Minnesota: If you are a resident of Minnesota or applying for employment at a location within the State of Minnesota, you have the right to submit a written request to KarmaCheck, Inc. for a complete and accurate disclosure of the nature and scope of any consumer report the Company ordered about you. KarmaCheck, Inc. must provide you with this disclosure within five business days after its receipt of your request or the report was requested by the Company, whichever date is later.

New Jersey: If you are a New Jersey resident or applying for employment at a location within the State of New Jersey, by signing below you acknowledge receipt of the New Jersey Fair Credit Reporting Act provisions.

New York: If you are a New York resident or applying for employment at a location within the State of New York, by signing below you acknowledge receipt of a copy of Article 23-A of the New York Correction Law. You have the right to inspect and receive a copy of any investigative consumer report requested by the Company by contacting KarmaCheck, Inc 877-732-2129.

Vermont: If you are a Vermont resident or applying for employment at a location within the State of Vermont, by signing below you acknowledge receipt of the NOTICE – BACKGROUND INVESTIGATION AND USE OF CREDIT INFORMATION.

Washington State: If you are a Washington resident or applying for employment at a location within the State of Washington, you have the right to request from KarmaCheck, Inc. a written summary of your rights and remedies under the Washington Fair Credit Reporting Act.

Massachusetts and Oklahoma: If you are a resident of Massachusetts or Oklahoma or applying for employment in one of these states, please check the box in the Disclosure and Acknowledgement peeiouv to this if you would like to receive a copy of your consumer report, free of charge, if one is obtained by the Company.

NEW JERSEY RESIDENTS

New Jersey Residents or Employees – this summary of the provisions of the New Jersey Fair Credit Reporting Act (“NJFCRA”) is being provided to you pursuant to state law (N.J.S.A. § 56:11-28 et seq.)

Before an employer can obtain a consumer report about you from a consumer reporting agency they must provide you with a clear and conspicuous disclosure in writing that such may be obtained for employment purposes. You must provide written consent to the procurement, for employment purposes, of a consumer report.

When using a consumer report for employment purposes, before taking adverse action based in whole or in part on the report, an employer must provide you with a copy of the consumer report and a description in writing of your rights under the federal Fair Credit Reporting Act as well as the NJFCRA.

You must be afforded a reasonable opportunity to dispute, with the consumer reporting agency, any information on which the employer relied upon in your consumer report.

You can request from a consumer reporting agency all information in your file, upon proper identification. This includes sources of information and identification of each person who procured a consumer report for employment purposes during the two-year period preceding your request. These requests must be made during normal business hours and on reasonable notice. It can be done in person or by telephone, if you have made a written request and pay the toll charge. A consumer reporting agency must provide trained personnel to explain to you any information in the consumer report.

You can dispute inaccurate information with the consumer reporting agency. If you dispute the completeness or accuracy of any of the information in your file, the consumer reporting agency must reinvestigate free of charge during a 30-day period. A consumer reporting agency must provide written notice to you of the results of the reinvestigation not later than five business days after completion of the reinvestigation.

If, after a reinvestigation, any information disputed by you is found to be inaccurate or incomplete or cannot be verified, the consumer reporting agency must promptly delete that item of information from your file or modify that item of information, as appropriate, based on the results of the reinvestigation.

You can seek damages for noncompliance under the NJFCRA.

NEW YORK RESIDENTS

New York Residents or Employees – this summary of the provisions of the New York Correction Law is being provided to you pursuant to state law.

Article 23-A

Licensure and Employment of Persons Previously

Convicted of One or More Criminal Offenses

§ 750. Definitions

For the purposes of this article, the following terms shall have the following meanings:

(1) "Public agency" means the state or any local subdivision thereof, or any state or local department, agency, board or commission.

(2) "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons.

(3) "Direct relationship" means that the nature of criminal conduct for which the person was convicted has a direct bearing on his fitness or ability to perform one or more of the duties or responsibilities necessarily related to the license, opportunity, or job in question.

(4) "License" means any certificate, license, permit or grant of permission required by the laws of this state, its political subdivisions or instrumentalities as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. Provided, however, that "license" shall not, for the purposes of this article, include any license or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

(5) "Employment" means any occupation, vocation or employment, or any form of vocational or educational training. Provided, however, that "employment" shall not, for the purposes of this article, include membership in any law enforcement agency.

§ 751. Applicability

The provisions of this article shall apply to any application by any person for a license or employment at any public or private employer, who has previously been convicted of one or more criminal offenses in this state or in any other jurisdiction, and to any license or employment held by any person whose conviction of one or more criminal offenses in this state or in any other jurisdiction preceded such employment or granting of a license, except where a mandatory forfeiture, disability or bar to employment is imposed by law, and has not been removed by an executive pardon, certificate of relief from disabilities or certificate of good conduct. Nothing in this article shall be construed to affect any right an employer may have with respect to an intentional misrepresentation in connection with an application for employment made by a prospective employee or previously made by a current employee.

§ 752. Unfair discrimination against persons previously convicted of one or more criminal offenses prohibited

No application for any license or employment, and no employment or license held by an individual, to which the provisions of this article are applicable, shall be denied or acted upon adversely by reason of the individual's having been previously convicted of one or more criminal offenses, or by reason of a finding of lack of "good moral character" when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless:

(1) there is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or

(2) the issuance or continuation of the license or the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

§ 753. Factors to be considered concerning a previous criminal conviction; presumption

1. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

(a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses.

(b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person.

(c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities.

(d) The time which has elapsed since the occurrence of the criminal offense or offenses.

(e) The age of the person at the time of occurrence of the criminal offense or offenses.

(f) The seriousness of the offense or offenses.

(g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct.

(h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.

2. In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall also give consideration to a certificate of relief from disabilities or a certificate of good conduct issued to the applicant, which certificate shall create a presumption of rehabilitation in regard to the offense or offenses specified therein.

§ 754. Written statement upon denial of license or employment

At the request of any person previously convicted of one or more criminal offenses who has been denied a license or employment, a public agency or private employer shall provide, within thirty days of a request, a written statement setting forth the reasons for such denial.

§ 755. Enforcement

1. In relation to actions by public agencies, the provisions of this article shall be enforceable by a proceeding brought pursuant to article seventy-eight of the civil practice law and rules.
2. In relation to actions by private employers, the provisions of this article shall be enforceable by the division of human rights pursuant to the powers and procedures set forth in article fifteen of the executive law, and, concurrently, by the New York city commission on human rights.

WASHINGTON D.C. RESIDENTS

The District of Columbia Fair Criminal Record Screening Amendment Act of 2014 only allows businesses to withdraw a conditional job offer or take an adverse action because of an applicant's criminal conviction(s) for a legitimate business reason. Your conditional job offer was revoked based on a review of your past criminal conviction(s). This decision must be considered reasonable in light of six factors.*

If you believe your job offer was improperly revoked based on the employer's review of your criminal conviction, you have the right to:

Within 30 days of the action, request from the employer a copy of all records related to the consideration of your application, including your criminal record. The file must then be provided to you within 30 days of your request.

File a complaint with the District of Columbia Office of Human Rights (OHR). It is cost free and does not require an attorney. OHR will review the facts related to the business' decision, and may initiate a mediation and investigation.

Complaints must be filed with OHR within one year of the adverse action, and can be filed online at ohr.dc.gov/page/complaints, or at 441 4th Street NW, Suite 570N, Washington,DC, 20010.

Penalties can be imposed against the business if a violation is found, with half the penalty being awarded to you as the applicant and the other half to the District of Columbia government.

For more information about your rights under the Fair Criminal Record Screening Amendment Act or about the complaint process at OHR, visit ohr.dc.gov/page/returning_citizens or call 202.727.4559.

* The employer's legitimate business reason must be reasonable in light of the following factors: A reasonable business purpose must be determined using six factors: (1) Specific duties and responsibilities necessarily related to the employment; (2) Fitness or ability to perform one or more job duties or responsibilities given the offense; (3) Time elapsed since the offense; (4) Age of the applicant when the offense occurred; (5) Frequency and seriousness of the offense; and

(6) Any information about the applicant that indicates rehabilitation or good conduct since the offense occurred.

WASHINGTON STATE RESIDENTS

Washington State Residents or Employees – this summary of the provisions of the Washington State Fair Credit Reporting Act (WFCRA) is being provided to you pursuant to state law. The WFCRA is designed to promote accuracy, fairness, consumer confidentiality and the proper use of credit data by each consumer reporting agency (CRA) in accordance with the requirements of the WFCRA.

The WFCRA is modeled after, and generally provides the same rights as, the federal Fair Credit Reporting Act (FCRA) (15 U.S.C. § 1681 et seq.) A summary of your rights under the FCRA is available at

http://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf.

The complete text of the WFCRA RCW 19.182, can be obtained from the:

Washington Code Revisers Office

P.O. Box 40551

Olympia, WA 98504

Online at <http://apps.leg.wa.gov/rcw/default.aspx?cite=19.182&full=true%20-%2019.182.070>.

One significant distinction between the FCRA and the WFCRA is that in Washington, an employer may not obtain a consumer report that indicates the consumer's credit worthiness, credit standing, or credit capacity, unless (1) the information is substantially job related and the employer's reason(s) for using the information are disclosed in writing, or (2) the information is required by law.

The following is a summary of your major rights under the WFCRA:

You will be required to provide proper identification before reviewing your consumer file. Proper identification may include your Social Security number. You may request to review your file at any time. A CRA will make disclosures of your file available to you during normal business hours and on reasonable notice. File disclosures may be done in person or by telephone, if you have made a written request and pay the toll charge, as applicable, or by any other reasonable means. A CRA will provide trained personnel to explain to you any information in your consumer report. Upon request, and proper identification, you may be permitted to bring one additional person with you to review your consumer file. If the CRA provides you with a credit score, the agency will also provide you with an explanation for that credit score.

You have a right to know what is in your file. Upon proper identification, you may request and obtain all the information about you in the CRA's files, although medical information may be withheld, and instead will be disclosed to a health care provider of your choice. Your health care

provider may disclose your medical information to you directly. Your file disclosure will include all items of information the CRA maintains about you, including sources of information (except sources acquired solely for use in an investigative report). The file will also identify each person who procured your consumer report for employment purposes during the two-year period preceding your request, or any person who procured your report for any other purpose within the six-months prior to your request. When applicable, a record of inquiries the CRA received identifying you in a credit transaction that was not initiated by you in the six-months prior to your file disclosure request. Each of these records will include the name of the person or trade name of the business that sought your consumer file, and upon your request, their respective addresses.

You are entitled to one free consumer report every 12 months, upon request. In many cases, your file disclosure will be free. You may be charged a limited fee for a second or subsequent report requested by you during a 12 month period. You will also not be charged for:

a consumer report if a person has taken adverse action against you because of information in your report;

the reinvestigation of information you dispute; or

corrected reports resulting from the deletion of inaccurate or unverifiable information.

You must be told if information in your file has been used against you. If a person takes an adverse action against you that is based, in whole or in part, on information contained in a consumer report, that person must tell you (usually, through a written notice), and must give you the name, address, and telephone number of the CRA that provided the information.

You have a right to dispute incomplete or inaccurate information. If you identify information in your file that is incomplete or inaccurate, and you notify the CRA directly of the dispute, the CRA will reinvestigate without charge and record the current status of the disputed information before the end of thirty business days, unless your dispute is frivolous. Upon completion of the reinvestigation, within five business days of the CRA's decision, the agency will provide you notice in writing or through another authorized means, of the results of the reinvestigation. If the CRA determines that your dispute is frivolous the agency will inform you of that determination, along with its reasons, and your rights under the WFCRA within five business days.

Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. Upon completion of the reinvestigation, if the information you disputed is found to be inaccurate or cannot be verified, the CRA must delete the information and notify you of the correction. Information that has been found to be inaccurate will not be reinserted into your consumer file, unless the furnisher of the information verifies the accuracy and completeness of that information. In such circumstances, you will be notified, within thirty business days that the information is being reinserted into your file. If the reinvestigation does not resolve your dispute, you may file with the CRA a brief statement (that may be limited to 100 words) setting forth the nature of your dispute. The statement will be placed in your consumer file and in any subsequent report containing the information you disputed.

You have the right to request that users of your consumer report be notified of any disputed information they previously received within the statutory time frame. After certain disputed information has been deleted or you have filed a statement of dispute, you may request that the CRA provides notification of that deleted item or item of dispute to any person you designate who has, within two years received your consumer report for employment purposes, or who has

within six months received your report for any other purpose, if the furnished report contained the deleted or disputed information.

Consumer reporting agencies may not report outdated negative information. In most cases, a CRA may not report negative information that is more than seven years old, or bankruptcies that are more than ten years old.

You have the right to advanced disclosure of any fees. Any charges for file disclosures or other requested actions to be taken by the CRA must be disclosed to you before the information is provided or the action is taken.

Access to your file is limited. A CRA may provide information about you only to people with a valid need – usually to consider an application with a creditor, insurer, employer, landlord, court or government agency, or in accordance with your written instructions.

You must be notified if reports are provided to employers. A CRA may not give out information about you to employers without your knowledge. A potential employer must make a clear and conspicuous disclosure in writing to you or obtain your consent before obtaining a report. A current employer may not receive a report unless it has given you written notice that reports may be used for employment purposes.

You must be notified in writing if a person seeks an investigative consumer report about you. An investigative consumer report may include information as to your character, general reputation, personal characteristics, and mode of living. Within a reasonable period of time after receiving such notice, you may request, in writing, a disclosure as to the nature and scope of the investigation requested—which will be delivered to you within five days of your request.

You may limit “prescreened” offers of credit and insurance you get based on information in your credit report. You may elect not to receive unsolicited “prescreened” offers for credit and insurance by using the CRA’s notification system to remove your name and address from the lists these offers are based on. You may opt-out with the nationwide credit bureaus at 1-888-5-OPTOUT (1-888-567-8688).

You may place a security freeze on your credit report. Under certain circumstances, you may request that a security freeze be placed on your credit report to prevent it from being shared with potential creditors or insurance companies when making determinations related to your eligibility for credit.

You may be able to block information resulting from identity theft from appearing on your credit report. If you are a victim of identity theft, certain CRAs must permanently block misinformation resulting from that theft from appearing on your credit report. You must provide the CRA with a copy of a police report as evidence of your claim before it can place the block on your report. You may seek damages from violators. If a CRA, a user of consumer reports, or a furnisher of information to a CRA violates the WFCRA, and you have a legal basis for a claim under the WFCRA, you may be able to bring a legal action in court to assert your rights under the WFCRA. The applicable statute of limitations is specified in Wash. Stat. § 19.182.120—which is generally two years from the date the cause of action accrued. Consumers who prevail on claims to enforce the WCFRA may obtain actual damages, monetary penalties, reasonable attorneys’ fees, costs, and other relief.

For questions or concerns regarding the WFCRA, please contact:

Office of the Attorney General

Consumer Protection Division
800 5th Avenue, Suite 2000
Seattle, Washington 98104-3188
Phone 1-800-551-4636 or (206) 464-6684
Statewide Toll-Free TDD: 800-833-6388
Any complaints by consumers under state law may be directed to:

The Attorney General's Office via U.S. Mail or Online.

Information and forms related to filing a consumer complaint can be found at:

<http://www.atg.wa.gov/FileAComplaint.aspx>

Additional information about consumer issues can be found at:

<http://www.atg.wa.gov/consumer-issues>

SAN FRANCISCO, CALIFORNIA NOTICE IN ENGLISH:

CITY AND COUNTY OF SAN FRANCISCO EDWIN M. LEE, MAYOR

NOTICE TO JOB APPLICANTS AND EMPLOYEES

San Francisco Fair Chance Ordinance Police Code, Article 49

Starting August 13, 2014, the Fair Chance Ordinance (San Francisco Police Code, Article 49) requires employers to follow strict rules regarding the use of arrest and conviction records in hiring and employment decisions. The ordinance covers job applicants and employees who would be or are performing work in whole, or in substantial part, in San Francisco and applies to employers who have 20 or more employees (regardless of the employees' locations).

Certain matters are off-limits. An employer may never ask about, require disclosure of, or consider: an arrest not leading to a conviction (other than an unresolved arrest that is still undergoing criminal investigation or trial); participation in a diversion or deferral of judgment program; a conviction that has been expunged or made inoperative; any determination in the juvenile justice system; a conviction more than 7 years old; and a criminal offense other than a felony/misdemeanor. Matters that are off-limits cannot be used by the employer for any reason at any stage of the hiring process.

An employer cannot ask about an individual's conviction history or unresolved arrests at the start of the hiring process. This includes through a job application form, informal conversation, or otherwise.

A mandatory interactive process for matters not off-limits. Only after a live interview has been conducted, or a conditional offer of employment made, is the employer allowed to ask about an

individual's conviction history (except as to matters that are off-limits) and unresolved arrests. Only those convictions and unresolved arrests that directly relate to the individual's ability to do the job may be considered in making an employment decision.

Before the employer may take an adverse action such as failing/refusing to hire, discharging, or not promoting an individual based on a conviction history or unresolved arrest, the employer must give the individual an opportunity to present evidence that the information is inaccurate, the individual has been rehabilitated, or other mitigating factors. The individual has seven days to respond, at which point the employer must delay any adverse action for a reasonable time and reconsider the adverse action. The employer must notify the individual of any final adverse action.

Evidence of rehabilitation include satisfying parole/probation; receiving education/training; participating in alcohol/drug treatment programs; letters of recommendation; and age at which the individual was convicted. Mitigating factors include coercion, physical or emotional abuse, and untreated substance abuse/mental illness, that contributed to the conviction.

No Retaliation. An employer may not take an adverse action against an applicant or employee for exercising their rights under the ordinance or cooperating with the Office of Labor Standards Enforcement OLSE.

If you need more information, or wish to report an employer that you believe has violated this ordinance, please contact the OLSE at 415-554-5192 or email FCE@sfgov.org.

OFFICE OF LABOR STANDARDS ENFORCEMENT

City Hall, Room 430 1 Dr. Carlton B. Goodlett Place San Francisco CA 94102-4685 Tel. (415) 554-6235 Fax (415) 554-4791.

SAN FRANCISCO, CALIFORNIA NOTICE IN SPANISH:

CIUDAD Y CONDADO DE SAN FRANCISCO EDWIN M. LEE, ALCALDE

AVISO PARA LOS SOLICITANTES DE EMPLEO Y EMPLEADOS

Ordenanza de Oportunidades Equitativas de San Francisco Código de Policía, Artículo 49
A partir del 13 de agosto de 2014, la Ordenanza de Oportunidades Equitativas (Código Policiaco de San Francisco, Artículo 49) requiere que los empleadores sigan reglas estrictas referentes al uso de los expedientes de arrestos y condenas al tomar decisiones de contratación y empleo. La ordenanza cubre a los solicitantes de empleos y empleados que estarían o están realizando su trabajo, o una parte sustancial del mismo, en San Francisco y se aplica a los empleadores que tengan 20 o más empleados (sin importar la ubicación de los empleados).

Está prohibido tocar ciertos asuntos. Un empleador nunca puede preguntar, requerir la divulgación de, o considerar: un arresto que no haya resultado en una condena (que no sea un arresto no resuelto que actualmente esté bajo investigación penal o juicio); participación en un programa de justicia alternativa o de fallo diferido; una condena que haya sido cancelada o declarada inoperante; cualquier determinación en el sistema de justicia juvenil; una condena de más de 7 años de antigüedad; y una infracción penal que no sea un delito mayor o delito menor. El empleador no puede utilizar los asuntos que están prohibidos para ningún propósito, en ninguna etapa del proceso de contratación.

Un empleador no puede preguntar sobre el historial de condenas o de arrestos no resueltos de una persona al inicio del proceso de contratación. Esto incluye preguntar mediante un formulario de solicitud de empleo, una conversación informal o de otra forma.

Un proceso interactivo obligatorio para asuntos que no estén prohibidos. Sólo después de que se haya hecho una entrevista en persona, o se haya hecho una oferta condicional de empleo, el empleador tiene permitido hacer preguntas sobre el historial de condenas de una persona (excepto sobre asuntos que estén prohibidos) y arrestos no resueltos. Sólo se pueden tomar en cuenta las condenas y los arrestos no resueltos que directamente se relacionen con la capacidad de la persona para hacer el trabajo al tomar la decisión del empleo.

Antes de que el empleador pueda tomar una acción adversa como no contratar, negarse a contratar, despedir, o no dar un ascenso a una persona con base en su historial de condenas o arrestos no resueltos, debe darle a la persona una oportunidad para presentar evidencia de que la información no es precisa, que la persona está rehabilitada, y otros factores atenuantes. La persona tiene 7 días para responder, en cuyo momento, el empleador debe posponer cualquier acción adversa durante un tiempo razonable y reconsiderar la acción adversa. El empleador debe avisar al individuo sobre cualquier acción adversa final.

La evidencia de rehabilitación incluye una libertad probatoria/bajo palabra satisfactoria; recibir educación/capacitación; participación en programas de tratamiento contra alcohol/drogas; cartas de recomendación; y la edad a la que la persona recibió la condena. Los factores atenuantes incluyen el chantaje, el maltrato físico o emocional, y la enfermedad no tratada mental o de consumo de sustancias que hayan contribuido con la condena.

Sin represalias. Un empleador no puede tomar una acción adversa contra un solicitante o empleado por ejercer sus derechos conforme a la ordenanza o por cooperar con la Oficina de Cumplimiento de los Estándares Laborales (Office of Labor Standards Enforcement, OLSE).

Si usted necesita más información, o si desea reportar a un empleador que usted crea que ha infringido esta ordenanza, por favor comuníquese con la OLSE al 415-554-5192 o por correo electrónico a FCE@sfgov.org.

OFFICE OF LABOR STANDARDS ENFORCEMENT

City Hall, Room 430 1 Dr. Carlton B. Goodlett Place San Francisco CA 94102-4685 Tel. (415) 554-6235 Fax (415) 554-4791.

SAN FRANCISCO, CALIFORNIA NOTICE IN TAGALOG:

LUNGSOD AT COUNTY NG SAN FRANCISCO EDWIN M. LEE, MAYOR

PASABI SA MGA APLIKANTE NG TRABAHO AT MGA KAWANI

Ordinansa ng Makatarungang Pagkakataon ng San Francisco (San Francisco Fair Chance Ordinance) Police Code, Article 49

Simula ng Agosto 13, 2014, ang Ordinansa ng Makatarungang Pagkakataon (Fair Chance Ordinance) (San Francisco Police Code, Article 49) ay nag-uutos sa mga may-ari ng negosyo na mahigpit na sundin ang mga alituntunin tungkol sa paggamit ng mga talaan sa pagdakip at paghatol ng pagkakasala sa mga desisyon sa pagtanggap ng kawani at pagtatrabaho. Ang ordinansa ay sumasakop sa mga aplikante ng trabaho at mga kawani na magtatrabaho o nagtatrabaho sa kabuuan, o sa mahalagang bahagi, sa San Francisco at umiiral sa mga may-ari ng negosyo na may 20 o higit pang kawani (sa kabila ng mga lugar na kinaroroonan ng mga kawani).

Ang ilang mga bagay ay pinagbabawal. Ang may-ari ng negosyo ay hindi kailanman maaaring magtanong, mangailangan ng pagbubunyag, o isaalang-alang ang tungkol sa: pagdakip na hindi nagresulta sa paghatol ng pagkakasala (maliban sa hindi pa nalulutas na pagdakip na sumasailalim pa ng kriminal na imbestigasyon o paglilitis); paglahok sa programa ng isang paglihis o pagliban ng paghatol; paghatol ng pagkakasala na binura o hindi ipinatupad; anumang pagpapasiya sa sistema ng katarungang pangkabataan; paghatol ng pagkakasala na mahigit sa 7 taon; at kriminal na pagkakasala maliban sa krimen/maliit na kasalanan. Ang mga bagay na pinagbabawal ay hindi maaaring gamitin ng employer para sa anumang dahilan at anumang bahagi ng proseso ng pagtanggap ng kawani.

Ang may-ari ng negosyo ay hindi maaaring magtanong sa indibiduwal tungkol sa kasaysayan ng paghatol ng pagkakasala o hindi pa nalulutas na mga pagdakip sa simula ng proseso ng pagtanggap ng kawani. Kabilang dito ang paggamit sa pormularyo ng aplikasyon sa trabaho, hindi pormal na pakikipag-usap, o ng iba pang paraan.

Ang inuutos na interaktibong proseso para sa mga bagay na hindi pinagbabawal. Pagkatapos lamang na magsagawa ng personal na panayam, o magbigay ng may-kondisyong alok ng pagtatrabaho, ang employer ay pinapahintulutang magtanong sa indibiduwal tungkol sa kasaysayan ng paghatol ng pagkakasala (maliban sa mga bagay na pinagbabawal) at hindi pa nalulutas na mga pagdakip. Iyon lamang mga paghatol ng pagkakasala at hindi pa nalulutas na mga pagdakip na tuwirang may-kaugnayan sa kakayahan ng indibiduwal na gawin ang trabaho ang maaaring isaalang-alang sa paggawa ng desisyon sa pagtatrabaho.

Bago maaaring gumawa ng kasalungat na aksiyon ang employer gaya ng pagbagsak/pagtanggong tanggapin sa trabaho, pagpapaalis, o hindi pagtataas ng tungkulin ng

indibiduwal batay sa kasaysayan ng paghatol ng pagkakasala o hindi pa nalulutas na pagdakip, ang employer ay dapat bigyan ng pagkakataon ang indibiduwal na magharap ng ebidensiya na ang impormasyon ay hindi wasto, na ang indibiduwal ay dumaan na sa rehabilitasyon, o iba pang nakakababang mga dahilan. Ang indibiduwal ay may pitong araw upang tumugon, na kung saan ang employer ay dapat ipagpaliban ang anumang kasalungat na aksiyon sa loob ng makatwirang panahon at muling isaalang-alang ang kasalungat na aksiyon. Ang employer ay dapat ipabatid sa indibiduwal ang anumang panghuling kasalungat na aksiyon.

Kabilang sa ebidensiya ng rehabilitasyon ay ang kasiya-siyang parol/pansamantalang pagpapalaya (probation); pagtanggap ng edukasyon/pagsasanay; paglahok sa mga programa ng paggamot ng alkohol/druga; mga surat ng rekomendasyon; at edad nang nahatulan ang indibiduwal. Kabilang sa nakakababang mga dahilan ay pananakot, pisikal o emosyonal na pag-abuso, at hindi pa nagagamot na pag-abuso sa substansiya/sakit pangkaisipan, na naging dahilan sa paghatol ng pagkakasala.

Walang Pagganti. Ang may-ari ng negosyo ay hindi maaaring gumawa ng kasalungat na aksiyon laban sa aplikante o kawani dahil sa pagganap ng kanilang mga karapatan sa ilalim ng ordinansa o pakikipag-tulungan sa Office of Labor Standards Enforcement (OLSE).

Kung kailangan pa ninyo ng higit na impormasyon, o nais mag-ulat ng employer na sa palagay ninyo ay lumabag sa ordinansang ito, mangyaring kontak in ang OLSE sa 415-554-5192 o email FCE@sfgov.org.

OFFICE OF LABOR STANDARDS ENFORCEMENT

City Hall, Room 430 1 Dr. Carlton B. Goodlett Place San Francisco CA 94102-4685 Tel. (415) 554-6235 Fax (415) 554-4791.

SAN FRANCISCO, CALIFORNIA NOTICE IN CHINESE:

三藩市縣
市長李孟賢
求職者和雇員通告
三藩市公平機會條例
《警察法規》第49條

2014年8月13日起,《公平機會條例》(《三藩市員警法規》第49條)要求雇主做出招聘和雇用決定時嚴格遵守使用被捕和犯罪記錄相關的規定。本條例適用於將來或目前大部分時間在三藩市工作的求職者和雇員並適用於有20名或以上雇員的雇主(不考慮雇員的所在地)。

某些事項受到禁止。雇主任何時候不得問及、要求披露或者考慮求職者或雇員相關的以下事項:(1)未導致定罪的逮捕(仍在進行刑事調查或審理的除外);(2)參與判決程序轉移或延期;(3)被刪除或宣告無效的有罪判決;(4)青少年司法系統的決定;(5)7年前的有罪判決;以及(6)重罪/輕罪以外的犯罪行為。雇主在招聘過程開始時,不得問及個人的犯罪史或未定罪的逮捕。這包括透過職位申請表、非正式談話或其他方式的詢問。

不受禁止事項在聘用過程中必須遵守的規定。。僅可在進行現場面試或者提供有條件雇用之後，才准許雇主問及個人的定罪史(受到禁止的事項除外)和未定罪的逮捕。做出雇用決定時僅可考慮與個人從事該工作的能力直接相關的有罪判決和未定罪的逮捕。

雇主根據定罪史或未定罪的逮捕採取不/拒絕聘用、解雇或不晉升個人之前，雇主必須給予此人機會提交證據表明該資訊不準確、此人已改過自新或者其他減輕因素。此人有七天時間做出回應，在此期間雇主必須合理延遲時間並重新考慮該不聘僱決定。雇主必須通知此人任何最終的決定。

改過自新的證據包括令人滿意的假釋/緩刑;接受教育/培訓;參加酒精/毒品治療項目;推薦信;以及個人被判有罪的年齡。減輕因素包括促成有罪判決的脅迫、身體或精神虐待以及未得到治療的藥物濫用/精神疾病。禁止報復。雇主不得因求職者或雇員行使條例規定的權利或者配合勞工標準執行辦公室(OLSE)，而對求職者或雇員採取報復行動。

如果您需要更多資訊或者想要舉報您認為違反本條例的雇主，請撥打415-554-5192或者發送電子郵件到FCE@sfgov.org聯繫OLSE。

勞工標準執行辦公室

City Hall, Room 430 1 Dr. Carlton B.

Goodlett Place San Francisco CA 94102

4685 電話 (415) 554-6235 傳真 (415) 554-4791

LOS ANGELES, CALIFORNIA NOTICE IN ENGLISH:

City of Los Angeles, California

Eric Garceti, Mayor

Notice to Applicants & Employees

Fair Chance Initiative for Hiring Ordinance

These are your rights:

1. An Employer shall not inquire about or seek information about an Applicant's Criminal History until after a Conditional Offer of Employment has been made to the Applicant*.

a. This includes job solicitations and applications or during any conversations and interviews.

2. If an Employer decides to rescind an offer of employment based on information discovered during the criminal background check, the Employer is required to perform and Individualized Assessment.
 - a. Individualized Assessment – a written assessment that effectively links the specific aspects of the Applicant's Criminal History with risks inherent in the duties of the Employment position sought by the Applicant.
 - b. If the offer is rescinded, the Applicant must receive: Written notification, a copy of the Individualized Assessment, and copies of any documentation used in the Employer's decision.
3. The Applicant has the right to the Fair Chance Process.
 - a. The Applicant has the opportunity to provide information or documentation to an Employer regarding the accuracy of their Criminal History or Criminal History Report. Such evidence of rehabilitation or other mitigating factors should be considered in the Employer's assessment.
 - b. The Employer is required to hold the job open for at least five (5) business days from the notification date of the proposed adverse action to allow an Applicant to submit such documentation. The Employer is required to review any documentation to reassess their decision.

For additional information or assistance, call:

City of Los Angeles
Department of Public Works
Office of Wage Standards
1149 S. Broadway, Suite 300
Los Angeles, CA 90015
Phone: (844) WagesLA – Email: WagesLA@lacity.org

*Note: Not all applicants are covered under the FCHIO. Please see the ordinance (LAMC 189.00) for more details.

Form FCIHO, Rev 08/18

LOS ANGELES, CALIFORNIA NOTICE IN SPANISH:

City of Los Angeles, California

Eric Garcetti, Mayor

Aviso para Solicitantes y Empleados

Ordenanza de la Iniciativa de Oportunidad Justa para la Contratación

Estos son sus derechos:

1. Los Empleadores no pueden preguntar al solicitante sobre los antecedentes penales hasta después de que se le haya dado al Solicitante* una oferta condicional de empleo.
 - a. Esto incluye solicitudes y solicitudes de empleo o durante cualquier tipo de conversaciones o entrevistas.
2. Si el Empleador decide rescindir la oferta de empleo como resultado de la investigación de antecedentes, el Empleador está obligado a realizar una Evaluación Individualizada.
 - a. Evaluación Individualizada – un análisis por escrito de las funciones y responsabilidades del trabajo, los antecedentes penales del Solicitante y cualquier otro factores que pueden afectar a la decisión de contratación.
 - b. Si se rescinde la oferta, el Solicitante debe recibir: un aviso por escrito, una copia de la Evaluación Individual, y copias de todos los documentos que el Empleador utilizó a llegar a la decisión.
3. El solicitante tiene el derecho al proceso de la Oportunidad Justa.
 - a. El Solicitante tiene la oportunidad de proporcionar información o documentación a un Empleador con respecto a la exactitud de sus Antecedentes Penales. Dichos datos deben ser considerados en la evaluación del Empleador, como evidencia de rehabilitación u otros factores mitigadores.
 - b. Se requiere que el Empleador mantenga el puesto abierto por lo menos cinco (5) días laborales de la fecha de notificación de la acción adversa propuesta para permitir que el Solicitante presente tal documentación. El Empleador está obligado revisar cualquier documentación para reevaluar su decisión.

Para más información o asistencia, puede llamar a:

City of Los Angeles
Department of Public Works
Office of Wage Standards
1149 S. Broadway, Suite 300
Los Angeles, CA 90015
Teléfono: (844) WagesLA – Email: WagesLA@lacity.org

*La nota: No todos los solicitantes/empleados están cubierto bajo el FCHIO. Consulte con le ordenanza (LAMC 189.00) para más detalles.

Form FCIHO, Rev 08/18

PHILADELPHIA, PENNSYLVANIA FAIR CHANCE HIRING LAW

Ensuring people with criminal records have a fair chance to work. It is illegal in Philadelphia for employers* to ask about your criminal background during the job application process.

This means that:

Employers cannot ask about your criminal background on job applications or during any job interview.

Employers can run your criminal background check ONLY AFTER a conditional offer of employment is made (final hiring depends on the results of your background check).

Criminal convictions can be considered ONLY if they occurred less than 7 years from when you apply (not counting time in incarceration).

Arrests that did not lead to conviction cannot be used in employment decisions.

If your background check reveals a conviction, the employer must consider:

The type of offense and the time that has passed since it occurred;

Its connection to the job you are applying for; and

Your job history, character references, and any evidence of rehabilitation.

Employers can reject you based on your criminal record ONLY if you pose an unacceptable risk to the business or to other people.

If you are rejected, the employer must send the decision to you in writing with a copy of the background report used to make the decision.

You have 10 days to give an explanation of your record, proof that it is wrong, or proof of rehabilitation.

If you believe your employer has violated the law, you can file a complaint with the PCHR.

Philadelphia Commission on Human Relations

601 Walnut Street, Suite 300 South

Philadelphia, PA 19106

(p) 215-686-4670 (f) 215-686-4684

email: pchr@phila.gov

www.phila.gov/humanrelations

*Some employers are exempt